

REMARKS

Claims 1-27 are pending in this application after this Amendment. Claims 1, 10, and 21 are independent. These amendments are remarks are submitted supplemental to the amendments and remarks included in the Reply filed May 27, 2004. In light of the amendments and remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

Examiner Interview

Applicant wishes to thank the Examiner for the Interview conducted on August 12, 2004. It is respectfully submitted that the amendments and remarks herein are made further to the discussion had during the Interview.

In the outstanding Official Action, the Examiner rejected claim 1 under 35 U.S.C. § 102(b) as being anticipated by *Oku et al.* (JP 01-320871); rejected claims 2-4 under 35 U.S.C. § 103(a) as being unpatentable over *Oku et al.* in view of *Okada* (USP 5,515,104); rejected claims 6-9 and 12 under 35 U.S.C. § 103(a) as being unpatentable over *Oku et al.* in view of *Kawamura et al.* (US 2002/0008763); and rejected claim 9 under 35 U.S.C. § 103(a) as being unpatentable over *Oku et al.* in view of *Furuya* (USP 4,977,456). Applicant respectfully traverses these rejections.

Applicant appreciates the Examiner's indication that claims 10 and 11 are allowed and, further, that claim 5 contains allowable subject matter.

Claim Rejections - 35 U.S.C. § 102(b) - *Oku et al.*

In support of the Examiner's rejection of claim 1, the Examiner asserts that *Oku et al.* teaches a selector citing to mode switches 31a, 31b and switch 5. Applicant respectfully disagrees with the Examiner's characterization of this reference.

It is submitted that the disclosure of *Oku et al.* is directed to monitor device for a video tape recorder. *Oku et al.* seeks to solve the problem of a risk of irrecoverable loss when a picture, which was thought to be properly recorded, turned out to be a failure when it was checked due to some problem. In solving this problem, *Oku et al.* provides for allowing a user to simultaneously display a recording signal and a playback signal. This can be seen with regard to Figs. 6-8. As can be seen in Fig. 7(c), the recording signal is displayed at the center of the monitor, while, at the same time, the playback signal is displayed around the periphery of the recording signal on the monitor.

In contrast, the present invention as set forth in claim 1, recites, *inter alia*, a camera comprising a selector for selecting one of a recording mode and a reproducing mode; and a display controller for controlling the monitor to display the image captured by the imaging part on a first area on the monitor in the

recording mode, and to display the image reproduced from the recording medium on a second area on the monitor in the reproducing mode, the first area being smaller than the second area.

It is respectfully submitted that the mode disclosed by *Oku et al.* for simultaneously displaying the recording signal and the playback signal does not teach or suggest the elements as noted above. The present invention provides for selecting **one** of a recording mode and a reproducing mode. *Oku et al.* teaches one mode that includes both recording and reproducing. There is no disclosure in *Oku et al.* that is directed to selecting one mode and controlling the monitor to display the image captured by the imaging part on a first area on the monitor in the recording mode, and to display the image reproduced from the recording medium on a second area on the monitor in the reproducing mode, the first area being smaller than the second area.

Further, as depicted in Fig. 7(c), as both the recording signal and the playback signal are displayed at the same time, only a portion of the playback image is displayed. As such, *Oku et al.* fails to teach or suggest displaying the image reproduced from the recording medium on a second area on the monitor in the reproducing mode.

Based upon the above, it is respectfully submitted that *Oku et al.* fails to anticipate the present invention as set forth in claim

1, and it is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 2-4, 6-9, and 12 are allowable for the reasons set forth above with regard to claim 1 at least based upon their dependency on claim 1.

By this Amendment, Applicant has presented new claims 26-27 for consideration by the Examiner.


Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  #39,491
for Michael K. Mutter, #29,680

L
MKM/CMV
0879-0230P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

(Rev. 02/12/2004)